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Contra Aid Witness List Has No One From CIA

Hill Panels to Begin Public Hearings May 5

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The House and Senate select committees on the Iran-contra affair, which begin joint public hearings May 5 with testimony on possible illegal aid to the Nicaraguan rebels, have prepared a tentative witness list that does not include anyone from the Central Intelligence Agency, according to congressional sources.

The CIA is "sensitive about having agency people appear in public and also sensitive about having them tell the public their story," one key committee member said. "There are legitimate concerns."

An initial list of 27 people involved in contra operations has been cut to about 20 to keep the first phase of the hearings to a scheduled 17 days, according to congressional sources. The focus will be on the resupply network, private funding of the contras and additional money generated from third countries, according to committee sources.

One legislator said committee members were worried that the public might be bored if they don't get to the major witnesses quickly. "People out in the country don't want to replot the same ground they had been over before," he said. "We're not trying to short-circuit the investigation," he continued, "but we want to go straight to the unresolved questions."

At least one CIA agent, who goes under the pseudonym Tomas Castillo, was identified by the Tower commission as a Costa Rica-based agency operative who participated in the contra resupply effort at a time when such activity was barred by Congress.

Castillo was on one early witness list drawn up by committee aides but with a question mark by his

name, according to congressional sources.

Castillo was brought back to Washington from Costa Rica in December and put on administrative leave pending conclusion of a CIA inspector general inquiry of the agency's Central American operations. That investigation is still under way, sources said.

Another top-ranking agency official, Duane Clarridge, helped organize the contra operation in 1981 and until mid-1984 supervised the authorized covert supply system that kept the U.S.-supported Nicaraguan rebels armed and fed. Clarridge also played a key role in November 1985 when the CIA provided unauthorized assistance for an Israeli shipment of U.S. arms to Iran.

The committee has three options for CIA employees: using their sworn depositions as the basis for questioning other witnesses, hearing them in closed sessions or forcing them to appear in public, sources said.

Until now, committee leaders appeared ready to bow to CIA requests that its personnel not appear in public sessions and instead to use their sworn statements, sources said.

"That public witness list is somewhat changeable," said one senator with experience on the intelligence committee. "I don't see how we can avoid Castillo," he added, suggesting that the CIA agent could answer general questions in open session and go into a closed hearing to give material that is still classified.

A major underlying question in how the committee deals with CIA witnesses is the effect it could have on determining what role former CIA director William J. Casey played, first during the congressionally mandated ban on military assistance to the Nicaraguan rebels and later in the Iran arms shipments. The former director is disabled from surgery last December that removed a cancerous tumor

from his brain. He is not expected to be able to testify.

Casey strongly supported the Nicaraguan operation. After Congress banned U.S. assistance, there were allegations that Casey worked with then-National Security Council aide Lt. Col. Oliver L. North to keep military supplies flowing to the contra forces and that some CIA operatives continued to exercise some control over the Nicaraguan rebel activities.

With Casey unable to testify, only his former associates and employees will be able to shed light on his activities, according to congressional investigators.

"Casey compartmentalized the CIA from his own operations," said one senator familiar with the agency. "He carried out back-pocket operations with a network of individuals rather than the institution."

The committees are expected to discuss how to handle the testimony of Castillo, Clarridge and other CIA operatives Wednesday when the House and Senate members meet to work out the witness list for this first phase of their hearings, sources said.

The Senate panel has interviewed or deposed more than 300 witnesses, issued more than 150 subpoenas and reviewed more than 100,000 documents, according to Chairman Daniel K. Inouye (D-Hawaii).

"The biggest problem we've had is trying to decide which of the witnesses to finally put on," Sen. Warren B. Rudman (R-N.H.), vice chairman of the Senate panel, said last week. "We have interviewed so many witnesses, there are some wonderful stories to be told . . . and some of those stories ought to be told . . . [that] give it a kind of Robert Ludlum quality."

"We want to avoid the routine witnesses," another panel member said, "but use their depositions to cross-examine the big fish."

One senator, not on the committee, privately voiced concern at what he called "the narrowing" of the investigation. That view was reflected by a former Reagan administration official with first-hand experience in policy-making involving the contras, who said recently that he had been questioned for only 90 minutes by a congressional investigator. A lawyer with a client directly involved in the Iran phase of the inquiry said he was surprised at the lack of preparation exhibited by the interrogators.